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Foresman/R9/USEPA/US@EPA;"Enos, Cassandra" [cenos@water.ca.gov]; Enos, Cassandra"  
[cenos@water.ca.gov]  
**From:** "Nepstad, Michael G SPK"  
**Sent:** Thur 3/29/2012 6:22:23 PM  
**Subject:** FW: BO's with jeopardy baseline for Delta smelt (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

FYI

Michael G. Nepstad  
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-----Original Message-----

From: Nepstad, Michael G SPK  
Sent: Thursday, March 29, 2012 11:22 AM  
To: Robershotte, Paul J SPD; Toland, Tanis J SPK; Olsen, Randy P SPK  
Subject: FW: BO's with jeopardy baseline for Delta smelt (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

We in SPK Regulatory haven't gotten a Delta Smelt BO with a baseline of jeopardy yet, but according to SPD, the USFWS California-Nevada Regional Director said these are going to be the new norm, and that it is now being utilized. It sounds like there will be no more take allowed for Delta Smelt.

If we get one of these BO's I'll pass it on, and would appreciate if you get one to pass on to me.

We live in interesting times, Thanks

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-----Original Message-----

From: Eakle, Wade L SPD  
Sent: Thursday, March 29, 2012 11:10 AM  
To: Nepstad, Michael G SPK; Jewell, Michael S SPK  
Cc: Domurat, George W SPD; Hedgecock, Neil SPN; Olson, David B HQ02; Boyce, Mayely L SPD  
Subject: RE: BO's with jeopardy baseline for Delta smelt (UNCLASSIFIED)

Mike,

I was at a meeting with USFWS RD and SPN DE on Tues, 3/27. USFWS RD explained how a "baseline of jeopardy" is now being utilized in BO's for Delta smelt. I asked if they had any examples of other T&E species where this same concept is being applied, and he responded with an example of CA condors - their population is still so low that no take is being allowed at all.

I furthered my query and asked if this concept of a "baseline of jeopardy" of has been applied in any BO's for Corps regulatory actions in the Delta and they responded yes, it has. So, I wanted to see a BO with it. It sounds like this is how they'll be dealing with Federal actions affecting Delta smelt.

Wade

-----Original Message-----

From: Nepstad, Michael G SPK  
Sent: Thursday, March 29, 2012 10:55 AM  
To: Jewell, Michael S SPK; Eakle, Wade L SPD  
Subject: RE: BO's with jeopardy baseline for Delta smelt (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

We haven't gotten any. Is this something the USFWS is planning to do?

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